

FEBRUARY 18, 1809.

Read the first and second time, and committed to a committee of the whole House, on Tuesday next.

A Bill

For the benefit of seamen of the United States.

1 *Be it enacted by the senate and house of representatives of the*
2 *United States of America, in congress assembled,* That the benefits
3 and privileges appertaining to ships or vessels of the United
4 States shall not continue to be enjoyed by any registered ship or
5 vessel, which may depart from the United States after the com-
6 mencement of this act, although the same be commanded by a
7 citizen of the United States as already required by law, unless
8 the mate or first officer under the master or commander and the
9 mariners composing the crew or at least a majority of them shall
10 be citizens of the United States.

1 *Sec. 2. And be it further enacted,* That every mariner who
2 may be shipped for any voyage or voyages in such vessel to any

3 foreign port or place, if claiming the privileges of a seaman of
4 the United States, at the time of signing the contract required by
5 the act for the government and regulation of seamen in the mer-
6 chant service, shall make or cause to be made thereon a memo-
7 randum or entry declaring himself to be a citizen of the United
8 States of America: And any mariner falsely or fraudulently mak-
9 ing such declaration or causing the same to be made shall forfeit
10 all claim to the wages or emoluments which might otherwise be
11 due to him for service in such voyage or voyages and shall also
12 forfeit and pay to the master, owner or consignee of the ship or
13 vessel the sum which shall have been paid to him by advance
14 at the time of signing the contract, to be recovered as is provided
15 in relation to forfeitures mentioned in the second section of the
16 act aforesaid.

1 Sec. 3. *And be it further enacted,* That every registered ship
2 or vessel which may be cleared from any port of the United States
3 for any foreign port or place shall have on board a list of the
4 officer or officers under the master or commander and of the ma-
5 riners composing the crew; which list shall contain the name, age,
6 birth place, residence and personal description of every such offi-
7 cer or mariner and shall also distinguish each citizen of the
8 United States of America therein mentioned and shall be certi-
9 fied by the officer or officers authorized to grant the clearance.
10 No registered ship or vessel cleared as aforesaid and thereafter
11 arriving in any port of the United States shall be entitled to the

12 benefits and privileges appertaining to ships or vessels of the
13 United States, unless there shall be on board a list of the officer
14 or officers under the master or commander and of the mariners
15 composing the crew as herein required so that the number of
16 seamen of the United States on board the ship or vessel may
17 thereby appear and be proved to the satisfaction of the proper
18 officer or officers of the customs, or unless the loss of said list
19 during the voyage shall be proved to the satisfaction of the last
20 mentioned officer or officers.

1 Sec. 4. *And be it further enacted*, That no person mentioned
2 in any list as aforesaid shall be thereon distinguished as a citizen
3 of the United States of America, unless the citizenship shall have
4 been proved, in case of a native citizen, by the oath or affirmation
5 of two witnesses being free-holders or respectable merchants or
6 master mariners of the United States, and in case of a naturalized
7 citizen by an authentic copy of the registry, record or official evi-
8 dence of the naturalization. But a seaman of the United States,
9 whose citizenship shall have been so proved and accordingly cer-
10 tified on any list distinguishing him as aforesaid, may be identified
11 and then mentioned and distinguished as aforesaid in any subse-
12 quent list without requiring further proof of his citizenship.

1 Sec. 5. *And be it further enacted*, That every collector of the cus-
2 toms shall cause to be transcribed in some proper book or books to
3 be by him kept for the purpose all such lists by him certified, and
4 shall transmit every quarter year a copy of so much thereof as

5 may contain the name, age, birth-place, residence and personal
6 description of every citizen of the United States being an officer
7 under the master or commander or being a mariner belonging to
8 the crew of any such ship or vessel as aforesaid, together with
9 the evidence of citizenship in each case, to such of the executive
10 departments as may be designated by the president of the United
11 States.

12 Sec. 6. *And be it further enacted,* That no such registered ship
13 or vessel shall be deprived of the benefits and privileges apper-
14 taining to ships or vessels of the United States in consequence of
15 the loss by death or otherwise of any of the seamen of the United
16 States after sailing on any voyage or voyages as aforesaid; but
17 the places of the seamen so lost may be supplied by shipping
18 other seamen or mariners in case of its being proved requisite for
19 the safety of the voyage to employ them: And the same shall be
20 proved to the satisfaction of the proper officer or officers of the
21 customs in the United States on arrival of the ship or vessel by
22 producing a statement in writing made at the foreign port or place
23 where such other seamen or mariners may have been shipped,
24 therein setting forth the facts requiring the employment of sea-
25 men or mariners for the safety of the voyage as aforesaid, with
26 the number of seamen or mariners so required; to which state-
27 ment there shall be added the certificate of a consul, vice-consul
28 or agent of the United States or a reputable American merchant
29 or master mariner, if such there be at said port or place, other-

19 wise the certificate of a principal officer of the port or place or of
 20 a reputable foreign merchant or master mariner, declaring either
 21 that the statement so made is to his knowledge just and true or
 22 that the same is in his opinion worthy of full faith and credit:
 23 which statement shall also be supported by the oath or affirma-
 24 tion of the master and mate if living or in case of their decease
 25 by the oath or affirmation of the two principal surviving officers
 26 or any three reputable mariners of the ship or vessel.

1 Sec. 7. *And be it further enacted,* That no mariner shipped ac-
 2 cording to law who may be entitled as aforesaid to the privileges
 3 of a seaman of the United States, shall be abandoned or left in
 4 any foreign place or country without his consent in writing attest-
 5 ed by two witnesses, except in case of desertion, under penalty of
 6 a sum not exceeding one thousand dollars, to be forfeited and paid
 7 to him by the master or commander of the ship or vessel, together
 8 with all charges and expenses which may have been incurred by
 9 such seaman for a passage to the United States. But this provi-
 10 sion shall not be construed to extend to cases of loss by perils of
 11 the sea or seizure by any enemy or officers of a foreign govern-
 12 ment.

1 Sec. 8. *And be it further enacted,* That the master or commander
 2 of every registered ship or vessel navigated as aforesaid, on re-
 3 turning to the United States, shall deliver the list aforesaid of the
 4 officer or officers under the master or commander and of the ma-
 5 riners composing the crew to the collector of the customs at the

1 Sec. 9: *And be it further enacted,* That this act shall commence
2 and be in force from and after the day of
3 in the present year; after which time, the collectors of the cus-
4 toms shall cease to deliver certificates of citizenship commonly
5 called protections in the manner heretofore practised under the
6 act entitled "an act for the relief and protection of American sea-
7 men," approved on the twenty-eighth day of May in the year
8 seventeen hundred and ninety-six, and the fourth section of said
9 act shall be and hereby is repealed.